

REMARKS/ARGUMENTS

Applicants amended claim 37 to change “method” to “system”.

Applicants amended claim 81 to correct a capitalization mistake.

Applicants amended claim 83 to change the dependency to claim 80.

1. Claims 1-4, 7, 8, 11-16, 18, 19, 22-26, 28-30, 33-38, 40, 41, 44-48, 50-52, 55-60, 62, 63, 66-68, and 73-95 Comply with 35 U.S.C. §101

During the phone interview on July 12th Applicants explained that the Section 101 rejection should not be applicable to the method and system claims.

The Examiner indicated that an amendment to the independent article of manufacture claims 45 and 62 reciting that the “article of manufacture comprises” a “computer readable storage medium” would overcome the Section 101 rejection. Although Applicants disagree with the legal basis for the Examiner’s Section 101 rejection, to expedite prosecution, Applicants amended independent article of manufacture claims 45 and 62 as discussed. In view of these amendments, Applicants request the Examiner to withdraw the Section 101 rejection.

2. Claims 1-3, 8, 11-16, 18, 19, 22-25, 30, 33-38, 40, 41, 44-47, 52, 55-60, 62, 63, 66, 67, 73-77, 79-84, 86-91, and 93-95 are Patentable Over the Cited Art

The Examiner rejected pending claims 1-3, 8, 11-16, 18, 19, 22-25, 30, 33-38, 40, 41, 44-47, 52, 55-60, 62, 63, 66, 67, 73-77, 79-84, 86-91, and 93-95 as anticipated (35 U.S.C. §102(e)) by Blants (U.S. Patent No. 6,732,080). Applicants traverse.

Independent claims 18, 40, and 62 concern generating a calendar for a personal information management program, and require: receiving selection of a time interval; for the selected time interval, determining position coordinates of a wireless device and time information indicating times when the position coordinates were generated, wherein a user is associated with the wireless device; processing the position coordinates and time information during the selected time interval to determine whether a change in a series of the position coordinates at times during the selected time interval indicates a predefined activity of the user occurring during the selected time interval; generating information on the predefined activity within the selected time interval; and displaying information on the predefined activity of the user and the selected time interval.

The Examiner cited FIG. 4, block 204 of FIG. 5, col. 2, lines 16-52, col. 3, lines 31-37, col. 13, lines 47 to col. 14, line 11 and col. 14, line 27 to col. 15, line 33 of Blants as disclosing the claim requirements of processing the position coordinates and time information during the selected time interval to determine whether a change in a series of the position coordinates at times during the selected time interval indicates a predefined activity of the user occurring during the selected time interval. (Third Office Action, pg. 3) Applicants traverse.

The cited col. 2 mentions that scheduled services are rescheduled when a conflict in the user's schedule between different services as to time and/or location, which is dependent on a position stored in the calendar, is detected. The location signal of the mobile terminal may be used to provide the scheduled services or alerts. The scheduling and a calendaring server, responsive to the actual location of the mobile terminal or a location, signals when a conflict exists as a result of the mobile terminal's current location or a location involving a scheduled calendar service. Thus, the cited col. 2 discusses using the mobile terminal's position to determine whether there is a conflict between a scheduled service and the location.

Nowhere does this cited col. 2 anywhere disclose the claim requirements of processing the position coordinates and time information to determine whether a change in a series of position coordinates indicates a predefined activity for a selected time interval. Instead, the cited col. 2 discusses determining whether there is a scheduling conflict based on the mobile terminal's current position and the user's calendar schedule. This does not disclose or concern the claim requirement of processing the position coordinates and time information to determine whether a change in a series of position coordinates indicates a predefined activity for the user.

The other cited sections of Blants are similarly deficient. The cited col. 3 mentions that the calendaring and scheduling server maintains the calendar and updates the calendar as the location of events in the calendar changes, such as scheduled user services which are provided to the user by at least one service provider. This cited col. 3 concerns updating a calendar schedule, but nowhere discloses or concerns the claim requirement of processing the position coordinates and time information to determine whether a change in a series of position coordinates indicates a predefined activity for the user.

The cited cols. 13-14 mentions that actualized events can effect planned events when a conflict is detected. Rescheduling occurs if a conflict exists with the same service or a different service. The cited cols. 14-15 further discusses detecting when a conflict exists and

rescheduling the scheduled service so that the conflict does not exist. To accomplish this, the calendaring and scheduling server stores the current location and then checks if a conflict exists. The cited cols. 14-15 further discuss how to discern a conflict. For instance, if an airline flight were scheduled for a departure time which would require the user to drive at a speed above the speed limit to cover the distance between the airport and the user's current location, the software would indicate a conflict. A determination of the conflict can be made by computing the distance between the scheduled service and the current location and dividing by the maximum possible speed to determine if it is physically impossible to arrive at the airport. Further, the software may suggest a new service for the user as a substitute service if there is a conflict.

Again, the cited cols. 13-15 concern detecting conflicts based on a current position of the mobile terminal and scheduled services. Again, nowhere do the cited cols. 13-15 disclose or mention the claim requirement of processing the position coordinates and time information to determine whether a change in a series of position coordinates indicates a predefined activity for the user.

Further, although the cited col. 14 discusses measuring a distance from the current location to the scheduled service to determine if the user may make the scheduled service, this cited col. 14 still nowhere discloses processing multiple position coordinates and time information to determine whether a change in a series of position coordinates indicates a predefined activity.

Accordingly, Applicants submit that amended claims 18, 40, and 62 are patentable over the cited art because the added requirements distinguish over the cited art.

Independent claims 1 and 23 concern providing user location information for a personal information management program, and require: generating position coordinates of a wireless device and time information indicating times when the position coordinates were generated, wherein a user is associated with the wireless device; processing the position coordinates and time information to determine whether a change in a series of position coordinates at times indicates a predefined activity of the user occurring during an activity time period during which the position coordinates and the time information were generated; and generating information on the determined predefined activity for the activity time period.

The Examiner cited the same above discussed sections of Blants as disclosing the claim requirement of processing the position coordinates and time information to determine whether a

change in a series of position coordinates at times indicates a predefined activity of the user occurring during an activity time period during which the position coordinates and the time information were generated. (Third Office Action, pg. 4).

Applicants traverse for the reasons discussed above with respect to claims 18, 40, and 62 and submit that nowhere do the cited sections of Blants disclose or concern the claim requirement of processing the position coordinates and time information to determine whether a change in a series of position coordinates indicates a predefined activity for the user.

Accordingly, claims 1 and 23 are patentable over the cited art because the cited Blants does not disclose all the claim requirements.

Claim 67 recites a computer readable medium for providing user location information for a personal information management program of a user at a wireless device, wherein the computer readable medium includes at least one computer readable data structure comprising: position coordinates of a wireless device and time information indicating times when the position coordinates were generated, wherein a user is associated with the wireless device; a predefined activity of the user occurring during an activity time period determined by processing the position coordinates and time information to determine whether a change in a series of position coordinates at times indicates the predefined activity during which the position coordinates and the time information were generated; and information on the determined predefined activity for the activity time period.

The Examiner rejected claim 67 for the reasons discussed with respect to claims 1 and 23. (Third Office Action, pg. 9) Applicants submit that claim 67 is patentable over the cited art for the reasons discussed with respect to claims 1 and 23 in that the cited Blants does not disclose the claim requirement of a predefined activity of the user occurring during an activity time period determined by processing the position coordinates and time information to determine whether a change in a series of position coordinates at times indicates the predefined activity during which the position coordinates and the time information were generated.

Accordingly, claim 67 is patentable over the cited art because the cited Blants does not disclose all the claim requirements.

Claims 2, 3, 8, 11-16, 19, 22, 24, 25, 30, 33-38, 41, 44-47, 52, 55-60, 62, 63, 66, 73-77, 79-84, 86-91, 93, and 95 are patentable over the cited art because they depend from one of independent claims 1, 18, 23, 40, and 62, which are patentable over the cited art for the reasons

discussed above. The below discussed claims provide additional grounds of patentability over the cited art.

Claims 76, 83, and 90 depend from claims 73, 80, and 87 and further require determining the predefined activity comprises determining a rate of change in distance per unit of time of the position coordinates during the activity time period.

The Examiner cited the above discussed sections of Blants, discussed with respect to independent claims 18, 40, and 62, with respect to these claims. (Third Office Action, pg. 10).

Although the cited Blants discusses how to detect a conflict based on the current location of the user and a scheduled service and whether the user can make the service, the Examiner has not cited any part of Blants that discloses determining the predefined activity by determining a rate of change in distance per unit of time of multiple position coordinates. Instead, the cited Blants discusses considering a single position coordinate and the location of a scheduled service to detect a conflict. The cited Blants does not disclose determining a rate of change in distance per unit of time of multiple position coordinates to determine a predefined activity.

Accordingly, claims 76, 83, and 90 provide additional grounds of patentability over the cited art because the additional requirements of these claims are not disclosed in the cited Blants.

Claims 77, 84, and 91 depend from claims 1, 23, and 45 and additionally require that the predefined activity is a member of a set of predefined activities comprising at least one of driving, walking, running, bicycle riding, and flying in an airplane.

The Examiner cited FIG. 3 of Blants as disclosing the additional requirements of these claims. (Third Office Action, pg. 10) Applicants traverse.

The cited FIG. 3 shows a personal calendar having scheduled events. (Blants, col. 12, lines 41-55) The event type indicates the type of the scheduled event, such as driving, airline flight, etc. Although the cited FIG. 3 mentions certain activities, such as driving and airline flight, these are scheduled event activities. The cited scheduled event activities in FIG. 3 are not a determined predefined activity based on change of a series of position coordinates of a wireless device.

Accordingly, claims 77, 84, and 91 provide additional grounds of patentability over the cited art because the additional requirements of these claims are not disclosed in the cited Blants.

The Examiner rejected independent claim 94 for the same reasons discussed with respect to claims 1, 23, and 67. (Third Office Action, pg. 12) Applicants submit that claim 94 is patentable over the cited Blants for the reasons discussed with respect to claims 1 and 23, and because the cited Blants does not disclose the claim requirement of processing the position coordinates to determine whether the change in a series of position coordinates indicates a predefined activity of the user.

3. Claims 4, 6, 7, 26, 28, 29, 48, 50, 51, 68, 78, 85, and 92 are Patentable Over the Cited Art

The Examiner rejected claims 4, 6, 7, 26, 28, 29, 48, 50, 51, 68, 78, 85, and 92 as obvious (35 U.S.C. §103(a)) over Blants in view of Contractor (U.S. Patent No. 6,847,824). Applicants traverse. (Third Office Action, pg. 13)

Claims 4, 6, 7, 26, 28, 29, 48, 50, 51, 68, 78, 85, and 92 are patentable over the cited art because they depend from one of independent base claims 1, 23, 45, and 67, which are patentable over the cited art for the reasons discussed above.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-4, 6-8, 11-14, 15, 16, 18, 19, 22-26, 28-30, 33-38, 40, 41, 44-48, 50-52, 55-60, 62, 63, 66-68, and 73-95 are patentable over the art of record. Applicants submit that no additional claim fee is needed. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0447.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Dated: July 21, 2006

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